

10/589435  
IAP11 Rec'd PCT/PTO 15 AUG 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  Whitehouse <i>et al.</i>  Appl. No.: (to be assigned; U.S. Nat'l Phase of PCT/US2005/016282)  Int'l Filing Date: May 10, 2005  For: <b>Prevention of Arterial Restenosis with Active Vitamin D Compounds</b>	Confirmation No.: (to be assigned)  Art Unit: (to be assigned)  Examiner: (to be assigned)  Atty. Docket: 2035.0240001/RWE
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**Information Disclosure Statement**

***Mail Stop PCT***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents FP1-FP3 and NPL1 and NPL2 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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Whitehouse *et al.*  
U.S. Nat'l Phase of PCT/US2005/016282

The Examiner's attention is directed to the following co-pending U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Application No. 11/298,992, inventor: Cleland, Jeffrey L., filed December 12, 2005.

U.S. Application No. 11/298,931, inventors: Curd, J.G. *et al.*, filed December 12, 2005.

U.S. Application No. 11/298,989, inventors: Curd, J.G. *et al.*, filed December 12, 2005

U.S. Application No. 11/298,927, inventors: Curd, J.G. *et al.*, filed December 12, 2005.

U.S. Application No. 11/482,111, inventors: Curd, J.G. *et al.*, filed July 7, 2006.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

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Whitehouse *et al.*  
U.S. Nat'l Phase of PCT/US2005/016282

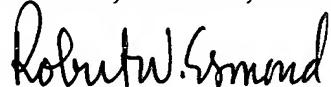
This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Attorney for Applicants  
Registration No. 32,893

Date: Aug 15, 2006

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Substitute for form 1449/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	(to be assigned; U.S. Nat'l Phase of PCT/US2005/016282)
Sheet	1	of	2	Int'l Filing Date	May 10, 2005
				First Named Inventor	Martha J. Whitehouse
				Art Unit	(to be assigned)
				Examiner Name	(to be assigned)
				Attorney Docket Number	2035.0240001/RWE

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
US1	4,391,802		07/05/1983	Suda <i>et al.</i>	
US2	4,594,340		06/10/1986	Partridge <i>et al.</i>	
US3	5,304,121		04/19/1994	Sahatjian	
US4	5,795,882		08/18/1998	Bishop <i>et al.</i>	
US5	5,871,437		02/16/1999	Alt, E.	
US6	6,034,079		03/07/2000	Sanberg <i>et al.</i>	
US7	6,087,350		07/11/2000	Johnson <i>et al.</i>	
US8	6,159,142		12/12/2000	Alt, E.	
US9	6,179,789 B1		01/30/2001	Tu <i>et al.</i>	
US10	6,192,271 B1		02/20/2001	Hayman, M.	
US11	6,206,915 B1		03/27/2001	Fagan <i>et al.</i>	
US12	6,218,016 B1		04/17/2001	Tedeschi <i>et al.</i>	
US13	6,203,536 B1		03/20/2001	Berg <i>et al.</i>	
US14	6,248,127 B1		06/19/2001	Shah <i>et al.</i>	
US15	6,299,980 B1		10/09/2001	Shah <i>et al.</i>	
US16	6,335,029 B1		01/01/2002	Kamath <i>et al.</i>	
US17	6,353,756 B2		03/05/2002	Hayman, M.	
US18	6,361,819 B1		03/26/2002	Tedeschi <i>et al.</i>	
US19	6,521,608 B1		02/18/2003	Henner <i>et al.</i>	
US20	6,559,139 B1		05/06/2003	Johnson <i>et al.</i>	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		
FP1	EP 0 701 802 A1		03/20/1996	Medtronic, Inc.	
FP2	EP 0 841 040 A1		05/13/1998	Medtronic, Inc.	
FP3	WO 91/12779 A1		09/05/1991	Medtronic, Inc.	
FP4					
FP5					
FP6					
FP7					
FP8					
FP9					

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet	2	of	2	Int'l Filing Date	May 10, 2005
				First Named Inventor	Martha J. Whitehouse
				Art Unit	(to be assigned)
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				Attorney Docket Number	2035.0240001/RWE

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		Number-Kind Code <sup>2</sup> (If Known)			
US21	6,589,546 B2		07/08/2003	Kamath <i>et al.</i>	
US22	6,667,173 B2		12/23/2003	Kazlauskas <i>et al.</i>	
US23	6,852,708 B2		02/08/2005	Falk <i>et al.</i>	
US24	6,902,911 B1		06/07/2005	Conklin <i>et al.</i>	
US25	2001/0034336 A1		10/25/2001	Shah <i>et al.</i>	
US26	2002/0055710 A1		05/09/2002	Tuch, R.J.	
US27	2003/0119795 A1		06/26/2003	Henner <i>et al.</i>	
US28	2003/0176403 A1		09/18/2003	Johnson <i>et al.</i>	
US29	2003/0191093 A1		10/09/2003	Chen <i>et al.</i>	
US30	2003/0216359 A1		11/20/2003	Johnson <i>et al.</i>	
US31	2005/0009793 A1		01/13/2005	Curd, J.G.	
US32	2005/0020546 A1		01/27/2005	Laidlaw <i>et al.</i>	
US33	2005/0026877 A1		02/03/2005	Chen <i>et al.</i>	
US34	2005/0101576 A1		05/12/2005	Whitehouse <i>et al.</i>	
US35					
US36					
US37					
US38					
US39					
US40					

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FP10					
FP11					
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		Art Unit	(to be assigned)
		Examiner Name	(to be assigned)
Sheet	1	of	1
		Attorney Docket Number	2035.0240001/RWE

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Evers, P., "Drug-Eluting Stents: Delivering on Their Promise," <i>Cardiovascular &amp; Blood</i> , pp. 295-297, Drug & Market Development (November 2003)	
	NPL2	Regar, E. et al., "Stent development and local drug delivery," <i>British Medical Bulletin</i> 59:227-248, Oxford University Press (2001).	
	NPL3		
	NPL4		
	NPL5		
	NPL6		
	NPL7		
	NPL8		
	NPL9		

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